

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.4442 of 2005

Between:

A.Subbarayudu, s/o A.Subbaiah,
o/o the Deputy executive Engineer, A.P.State Housing Corporation,
Madanapalle, Chittoor District.

..... PETITIONER

AND

1 The Managing Director, A.P.State Housing Corporation Ltd.,

3-6-184, Urdugally, Himayathnagar, Hyderabad.

2 The District Manager, A.P.State Housing Corporation Ltd.,

Chittoor District, Chittoor.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ, order or directions more particularly a writ of mandamus declaring the action of the respondents in issuing a show cause notice No.A4/4114/2003, dt.28-07-2003 is violative of Article 14, 16 and 21 of the Constitution of India and set aside the same consequently directing the respondents to fix the revised pay scales and sanction of increments and other consequential benefits on par with other work Inspectors and pass such further or other order or orders as this Hon'ble Court may deem just and proper in the interest of justice.

Counsel for the Petitioner: MR.M.VENKATA RAMANA REDDY

Counsel for the Respondent Nos.1 and 2: MR.K.MOHAN RAMI REDDY

The Court at the admission stage made the following:

ORDER:

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Declaring the action of the respondents in issuing the show cause notice No.A4/4114/2003, dated 28.07.2003, as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioner and the learned standing Counsel for the respondents.

It is only a show cause notice, issued to the petitioner, calling for his explanation within 15 days, as to why the orders, issued in proceedings No.A2/1218/91, dated 01.01.1992, should not be cancelled, treating him as NMR WI, as he does not possess the requisite qualifications to continue him as regular Non-Technical Work Inspector. Thereafter, the petitioner gave a representation to the respondents. It is for the respondents to take appropriate decision thereon in accordance with law.

According to the learned counsel for the petitioner, in pursuance of the show cause notice, no decision or order has been passed.

Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the respondents to take appropriate decision in pursuance of the show cause notice, dated 28.07.2003, duly considering the representation of the petitioner, dated 18.08.2003, within a period of 2 (two) months from the date of receipt of a copy of this order. However, all the contentions raised in this writ petition are left open.

With the above observations, the Writ Petition is disposed of. No order as to costs.

Dated: 09.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Managing Director,
A.P.State Housing Corporation Ltd.,
3-6-184, Urdugally, Himayathnagar,
Hyderabad

2. The District Manager,
A.P.State Housing Corporation Ltd.,
Chittoor District, Chittoor

3. Two CD copies

4. 1 CC to MR.VENKATA RAMANA REDDY

Form-NIC-OGS/WP{RS}